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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,796	03/16/2004	Mark T. Dumm	DMMZ 2 00001	1922
7590 12/07/2004			EXAMINER	
Richard M. Klein, Esq. Fay, Sharpe, Fagan, Minnich & McKee, LLP Seventh Floor 1100 Superior Avenue Cleveland, OH 44114-2518			GRAY, DAVID M	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,796

Applicant(s)

DUMM, MARK T.

Examiner

David M Gray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10-01-2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

The drawings are objected to because the details are unclear in figures 6-10. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Melby et al. in view of the secondary references Dalton et al., Gottschalk, Mery and Arnold.

Melby et al. disclose (see col 4, ln 45 to col 5, ln62) “a mounting [16] ... a tilt drive motor [20]; a tilt drive train [84, 86, 82, 90] in operative communication with the tilt drive motor and the mounting [sled], the tilt drive train including a tilt drive shaft [84] having an axis extending in a perpendicular direction with respect to the [sled] top, wherein operation of the tilt drive motor moves the mounting [sled] in a tilt direction; a pan drive motor [18]; and a pan drive train [68, 70, 74, 76] in operative communication with the pan drive motor and the mounting [sled], the pan drive train including a pan drive shaft [76] extending in a perpendicular direction with respect to the [sled] top along the axis of the tilt drive shaft such that the pan drive shaft receives the tilt drive shaft and turns independently and concentrically about the tilt drive shaft, wherein operation of pan drive motor moves the mounting sled in a pan direction; wherein the apparatus is adapted such that the sled top receives a camera such that the center of gravity of the camera is aligned with the diameters of the circular arcs of both led runners along a horizontal axis and the vertical axis of the tilt and pan drive shafts.”

Melby et al. differs from the claimed invention in that Melby et al. does not disclose “a mounting sled, including a sled top disposed between two sled runners, wherein a lower surface of each sled runner is formed by a circular arc having a determined diameter.”

The secondary references teach providing such a mounting sled in a camera support. It would have been obvious to one of ordinary skill at the time of applicant's invention to substitute the mounting sled of the secondary references for the mounting of Melby et al. One would have

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been motivated to so modify the Melby et al. reference in order to allow supporting a heavier camera.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Richards et al. in view of the secondary references Dalton et al., Gottschalk, Mery and Arnold.

Richards et al. disclose "a mounting [116] ... a tilt drive motor [36]; a tilt drive train [58, 60, 62, 82, 84] in operative communication with the tilt drive motor and the mounting [sled], the tilt drive train including a tilt drive shaft [82] having an axis extending in a perpendicular direction with respect to the [sled] top, wherein operation of the tilt drive motor moves the mounting [sled] in a tilt direction; a pan drive motor [34]; and a pan drive train [40, 42, 44, 56] in operative communication with the pan drive motor and the mounting [sled], the pan drive train including a pan drive shaft [56] extending in a perpendicular direction with respect to the [sled] top along the axis of the tilt drive shaft such that the pan drive shaft receives the tilt drive shaft and turns independently and concentrically about the tilt drive shaft, wherein operation of pan drive motor moves the mounting sled in a pan direction; wherein the apparatus is adapted such that the sled top receives a camera such that the center of gravity of the camera is aligned with the diameters of the circular arcs of both led runners along a horizontal axis and the vertical axis of the tilt and pan drive shafts."

Richards et al. differs from the claimed invention in that Richards et al. does not disclose "a mounting sled, including a sled top disposed between two sled runners, wherein a lower surface of each sled runner is formed by a circular arc having a determined diameter."

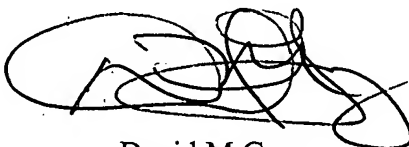
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The secondary references teach providing such a mounting sled in a camera support. It would have been obvious to one of ordinary skill at the time of applicant's invention to substitute the mounting sled of the secondary references for the mounting of Richards et al. One would have been motivated to so modify the Richards et al. reference in order to allow supporting a heavier camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M Gray whose telephone number is 571-272-2119. The examiner can normally be reached on M-T 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'David M Gray', written over a horizontal line.

David M Gray
Primary Examiner
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